

UNITED STATES CIVIL SERVICE COMMISSION  
Office of the Executive Director  
Interagency Advisory Group  
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Washington, D.C. 20415

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Minutes of the IAG Adverse Action and Appeals  
Committee--June 16, 1978

Wilma Lehman of the Policy Analysis and Development Division, Bureau of Policies and Standards, chaired the meeting, assisted by Ray Terrill and Paul Brown of the Commission's Bureau of Personnel Management Information Systems.

General Interest Announcements

Mrs. Lehman advised the members that the Civil Service Commission has published a draft report regarding improving Commission regulations which appears in the May 23, 1978, Federal Register, Part II. Section 7 of the proposed regulations concerns the process of developing significant regulations.

Bob Buckbee offered to interested members a copy of the HUD announcement for a GS-13 Employee Relations Specialist.

Collection of statistical information on adverse actions, grievances, and appeals

Ray Terrill, Requirements Task Manager for the Federal Personnel Management Information System (FPMIS) introduced this subject--the data elements proposed for inclusion in the FPMIS functional area called the "resolution processes," particularly those concerning adverse actions, grievances, and appeals. He said there were now 205 unfiltered proposed data elements, acknowledged that some of these elements might be troublesome to some agencies, but asked that the members think "futuristically," as the system is geared for use in the 1980's. While it would be preferable to resolve problems with the proposed data at this forum, there are resolution mechanisms available in the FPMIS users' group, made up of the directors of personnel of 12 agencies and the directors of CSC bureaus and major offices. Additional avenues for problem solving are the CSC office or bureau requesting the data, FPMIS Staff in BPMIS, or even the main IAG.

Paul Brown called members' attention to a few changes in the handout:

- (1) The Appeals Review Board has decided to defer participation pending the reorganization;

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(2) The definition of "Official Position Title" (p.11 of the Reference) is changed from "That by which something is known" to "Descriptive title of the position";

(3) Another element has been dropped--"Days for Preparing Post Hearing Brief" (att. 5, p. 1).

There followed a question-and-answer discussion of some specific requests for information. One member questioned the rationale for BPS' asking the 8 questions on proposed adverse actions (att. 7, p.1). Mrs. Lehman replied that BPS wanted the data to disprove criticism that an employee's reply to a proposed adverse action is meaningless. Some members expressed doubt that the information provided would be valid, and felt the cost and trouble involved in obtaining the data were greater than the benefit to be derived. They feared their field offices, where the heaviest burden would fall, would have to omit other work in order to comply with this requirement. Also, supervisors may feel a reluctance to initiate necessary actions for fear of looking bad, and not being sure what is expected of them if they are required to track these actions. Some concern was expressed that interpretations drawn from such data would lack real meaning, and that in fact, interpretation would be impossible. Some persons asked how the data would be kept current, would it be gathered retroactively or prospectively, before or after reorganization?

Many of the questions related to negotiated grievances, but since the office which had requested the data was not represented at the meeting, there was no one to provide answers to questions, such as definitions of "grievance decision compromise," "partial remedy," or "compromise at an early stage", and what precisely is meant by "date arbitrator designated". One member took exception to CSC gathering information on tracking ongoing grievances. It was noted in turn that there was no requirement to track grievances.

Members noted that some of the data elements listed on the handout seek similar information. This is so because the elements were requested by several offices, and have not yet been filtered.

It was reported that the FEAA director feels it necessary to have the same data available on arbitration cases as is currently available on appeals. It was pointed out that there is a disparity in capability due to the work force available to FEAA, a feature not shared by arbitrators.

It was decided that it would be productive to have the users' group get together and discuss their needs for the various data elements. Mrs. Lehman agreed that all data elements on adverse actions and administrative grievances would be reviewed with the comments of the group in mind before inclusion in the next stage of the process.